

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Shan Jonathon Kittredge,
Petitioner
v.
Brian Williams, et al.,
Respondents

Case No. 2:23-cv-00669-JAD-BNW

**Order Dismissing Habeas Petition without
Prejudice, Closing Case, and Denying
Motion for Appointment of Counsel**

[ECF Nos. 3, 4]

Pro se Petitioner Shan Jonathan Kittredge filed this 28 U.S.C. § 2254 petition for writ of habeas corpus,¹ challenging his state conviction. Kittredge failed to comply with my previous order instructing him to show cause why his petition should not be dismissed as time-barred.² So I dismiss this action without prejudice based on Kittredge's failure to comply with my order, and I deny his motion for appointment of counsel.³

In my previous order, I informed Kittredge that his federal habeas petition was untimely on its face because he filed it nearly six months after the limitations period expired.⁴ I instructed Kittredge to show cause in writing why his petition should not be dismissed as time-barred no later than July 17, 2023.⁵ I warned him that failure to timely respond to the order to show cause would result in dismissal of this action without further prior notice.⁶ Kittredge failed to comply.

IT IS THEREFORE ORDERED that:

1. Petitioner Shan Jonathan Kittredge's petition for writ of habeas corpus [ECF No. 2] is **DISMISSED** without prejudice.
2. Kittredge's motion for appointment of counsel [ECF No. 3] is **DENIED** as moot.

¹ ECF No. 2.

² ECF No. 4.

³ ECF No. 3.

⁴ ECF No. 4 at 2-3.

⁵ *Id.*

⁶ *Id.* at 4.

3. The Clerk of the Court is directed to:

- **DIRECT INFORMAL ELECTRONIC SERVICE** upon respondents under Rule 4 of the Rules Governing Section 2254 Cases by adding Nevada Attorney General Aaron D. Ford as counsel for respondents and to provide respondents an electronic copy of all items previously filed in this case by regenerating the Notice of Electronic Filing to the office of the AG only. No response is required from respondents other than to respond to any orders of a reviewing court.
- **ENTER FINAL JUDGMENT** dismissing this action and **CLOSE THIS CASE.**



U.S. District Judge Jennifer A. Dorsey
Dated: August 13, 2023